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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,835	08/05/2004	Paul William Shields	120252	6385
<div>25944      7590      09/05/2007</div> <div>OLIFF &amp; BERRIDGE, PLC</div> <div>P.O. BOX 19928</div> <div>ALEXANDRIA, VA 22320</div>				
			<div>EXAMINER</div> <div>YEN, ERIC L</div>	
			<div>ART UNIT</div> <div>2626</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>09/05/2007</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/501,835	<b>Applicant(s)</b> SHIELDS, PAUL WILLIAM	
	<b>Examiner</b> Eric Yen	<b>Art Unit</b> 2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                 | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-7, 9, 11-13, and 16-18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobylevsky et al. (US 6,804,654), hereafter Kobylevsky, in view of Nelson (US 2003/0097262).

As per Claim 1, Kobylevsky teaches a system for accessing and updating information stored in a central location by a remote worker, said system comprising: a central store for information and a telephone for use by said remote worker to interrogate and update said store ("prescription services system... dialing... telephone... prompts the caller to provide prescription information... transcribes... records the voice prescription information... stores same for later retrieval and review by a doctor, pharmacist, or other medical personnel", col. 2, line 62 – col. 3, line 52; "stored and transcribed by prescription services system", col. 3, line 53 – col. 4, line 11; "record keeping", col. 6, lines 16-28; "text-to-speech conversion", col. 8, lines 33-48; "speech-to-text", col. 6, lines 28-60).

Kobylevsky fails to teach where the telephone is a mobile telephone and in which said mobile telephone includes a text to speech (TTS) system for enabling said information to be output aurally.

Nelson teaches where the telephone is a mobile telephone and in which said mobile telephone includes a text to speech (TTS) system for enabling said information to be output aurally ("cellular telephones... equipped with cellular capabilities", paragraph 2; "handheld computing device... having speech-to-text functionality... may also include a text-to-speech processor", paragraphs 4-5; "speech-to-text", paragraph 15; "text-to-speech...output to the user", paragraph 21)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Kobylevsky to include the teaching of Nelson of where the telephone is a mobile telephone and in which said mobile telephone includes a text to speech (TTS) system for enabling said information to be output aurally, in order to provide the functionality of Nelson in many different environments, as described by Nelson (paragraph 2).

As per Claim 2, Kobylevsky teaches an automatic speech recognition (ASR) system for enabling said remote worker to interrogate said store aurally ("speech-to-text", col. 6, lines 28-60; "prescription services system... dialing... telephone... prompts the caller to provide prescription information... transcribes... records the voice prescription information... stores same for later retrieval and review by a doctor, pharmacist, or other medical personnel", col. 2, line 62 – col. 3, line 52).

Kobylevsky fails to teach in which said mobile phone includes an automatic speech recognition (ASR) system.

Nelson teaches in which said mobile phone includes an automatic speech recognition (ASR) system ("cellular telephones... equipped with cellular capabilities", paragraph 2; "handheld computing device... having speech-to-text functionality... may also include a text-to-speech processor", paragraphs 4-5; "speech-to-text", paragraph 15; "text-to-speech...output to the user", paragraph 21)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Kobylevsky to include the teaching of Nelson of in which said mobile phone includes an automatic speech recognition (ASR) system, in order to provide the functionality of Nelson in many different environments, as described by Nelson (paragraph 2).

As per Claim 4, Kobylevsky teaches in which said information concerns medical information and said remote worker is a medical practitioner ("prescription services system... dialing... telephone... prompts the caller to provide prescription information... transcribes... records the voice prescription information... stores same for later retrieval and review by a doctor, pharmacist, or other medical personnel", col. 2, line 62 – col. 3, line 52; "stored and transcribed by prescription services system", col. 3, line 53 – col. 4, line 11; "record keeping", col. 6, lines 16-28; "text-to-speech conversion", col. 8, lines 33-48; "speech-to-text", col. 6, lines 28-60).

As per Claims 5-7, 9, 11-13, and 16-18, the limitations are similar to those in Claims 1-2 and 4, and so are rejected under similar rationale.

3. Claims 3, 8, 10, and 14-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Kobylevsky, in view of Nelson, as applied to Claims 1 and 5, above, and further in view of Garrison (US 2002/0069355, cited in IDS).

As per Claim 8, Kobylevsky, in view of Nelson, fail to teach encrypting said information before accessing and updating.

Garrison teaches encrypting said information before accessing and updating ("query for the database system...The server encrypts the requested data and transmits the encrypted data to the client", paragraph 14; "encrypt a request", paragraph 49; where Garrison teaches where the user input and the information being transferred to the user are both encrypted, and so, when applied to Kobylevsky, the updating of the database [by entering prescription information, for example] is encrypted, as is the materials transferred to the user for review, for example).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Kobylevsky, in view of Nelson, to include the teaching of Garrison of encrypting said information before accessing and updating, in order to prevent information from being accessed by unauthorized users, as described by Garrison (paragraph 3).

As per Claims 3, 10, and 14-15, their limitations are similar to those in Claim 8, and so are rejected under similar rationale.


### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Yen whose telephone number is 571-272-4249. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EY 8/29/07

  
PATRICK N. EDOUARD  
SUPERVISORY PATENT EXAMINER